

**Food and Nutrition Service (FNS), Supplemental Nutrition and Safety
Programs, Supplemental Food Programs Division**

CHARTER

1. Committee's Official Designation

National Advisory Council on Maternal, Infant and Fetal Nutrition (Council)

2. Authority

Section 17(k) of the Child Nutrition Act (CNA) of 1966, as amended 42 U.S.C. 1786, establishes a National Advisory Council on Maternal, Infant and Fetal Nutrition and authorizes the Secretary of Agriculture to appoint members. The Council operates in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App.2.

3. Objectives and Scope of Activities

The Council studies the operation of the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) and related programs such as the Commodity Supplemental Food Program (CSFP), to determine how they may be improved.

4. Description of Duties

The Council studies the operation of the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) and related programs such as the Commodity Supplemental Food Program (CSFP), to determine how they may be improved. Although the Council report function was eliminated by the Federal Reports Elimination Act of 1988, the Council may submit a report to Congress with recommendations for Program improvements.

5. Agency or Official to Whom the Committee Reports

The Council reports to the Secretary of the United States Department of Agriculture (USDA).

6. Support

FNS provides the Council with such technical and other assistance, including conference room space, member recruitment, and administrative support during the meeting.

7. Estimated Annual Operating Costs and Staff Years

The total annual operating costs are estimated at \$80,000 with .20 FTE. Members of the Council serve without compensation, but receive reimbursement for necessary travel and subsistence expenses incurred by them in the performance of the duties of the Council. In addition, parent participant members are compensated for child care expenses and wages lost during scheduled Council meetings.

8. Designated Federal Officer (DFO)

A permanent Federal employee will be appointed in accordance with agency procedures, will serve as the DFO. The DFO will approve the advisory committee's and subcommittees' meetings, prepare and approve all meeting agendas, attend all committee and subcommittee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the official to whom the advisory committee reports.

9. Estimated Number and Frequency of Meetings

Council meetings occur annually. In consultation with the DFO, Council Members determine the dates of the meeting at the previous annual meeting.

10. Duration

Continuing

11. Termination

The Charter will terminate two years after the date of filing, unless it is renewed by the Secretary. No Council meetings can be held or Committee action taken without a filed charter in accordance with 41 CFR 102-3.70.

12. Membership and Designation

12a. This Committee will be fairly balanced in its membership in terms of the points of view represented and the functions to be performed. Steps will be taken to encourage fresh points of view, such as establishing staggered membership terms and limiting the number of renewed memberships.

12b. The Council is composed of 24 members appointed by the Secretary. The United States Office of Government Ethics on July 19, 2004, issued guidance which designated three positions on the Council as Special Government Employees (SGE). The Council membership includes: (1) State WIC director; (2) State CSFP director; (3) State WIC fiscal officer (or the equivalent thereof); (4) State health officer (or the equivalent thereof); (5) Local WIC director in an urban area; (6) Local WIC director in a rural area; (7) Local CSFP director; (8) State public health nutrition director (or the equivalent thereof); (9) Representative of an organization serving migrants; (10) Official from a State agency serving predominately American Indians; (11) WIC or CSFP parent participants (for a total of 3 participants); (12) Pediatrician; (13) Obstetrician; (14) Representative of a non-profit public interest organization that has experience with and knowledge of the WIC Program; (15) Person involved at the retail sales level of food in the WIC Program; (16) Officials from the U.S. Department of Health and Human Services (DHHS) (for a total of 2 officials); (17) Officials from the USDA (for a total of 2 officials); (18) Expert in drug abuse education and prevention (SGE); (19) Expert in alcohol abuse education and prevention (SGE); and (20) Expert in breastfeeding promotion (SGE).

12c. Of these members, one will become the chairperson who is recognized for their ability to lead a group in a fair and focused manner and who has been briefed on the mission of this Committee. A co-chairperson may be assigned, especially to facilitate their transition to become the chairperson in the future.

The Council will elect its Chair and Vice-Chair. A Federal staff member serves as the Executive Secretary of the Council.

12d. Ethics Statement

To maintain the highest levels of honesty, integrity and ethical conduct, no Committee or subcommittee member shall participate in any "specific party matters" (i.e., matters are narrowly focused and typically involve specific transactions between identified parties) such as a lease, license, permit, contract, claim, grant, agreement, or related litigation with the Department in which the member has a direct or indirect financial interest. This includes the requirement for Committee or Subcommittee members to immediately disclose to the DFO any specific party matter in which the member's immediate family, relatives, business partners or employer would be directly seeking to financially benefit from the Committee's recommendations.

All members will receive ethics training to identify and avoid any actions that would cause the public to question the integrity of the Committee's advice and recommendations. Members who are appointed as "Representatives" are not

subject to Federal ethics laws because such appointment allows them to represent the point(s) of view of a particular group, business sector or segment of the public.

Members appointed as "Special Government Employees" (SGEs) are considered intermittent Federal employees and are subject to Federal ethics laws. SGE's are appointed due to their personal knowledge, academic scholarship, background or expertise. No SGE may participate in any activity in which the member has a prohibited financial interest. Appointees who are SGEs are required to complete and submit a Confidential Financial Disclosure Report (OGE-450 form) and, upon request, USDA will assist SGEs in preparing these financial reports. To ensure the highest level of compliance with applicable ethical standards USDA will provide ethics training to SGEs on an annual basis. The provisions of these paragraphs are not meant to exhaustively cover all Federal ethics laws and do not affect any other statutory or regulatory obligations to which advisory committee members are subject.

12e. Equal Opportunity Statement

Equal opportunity practices, in line with USDA policies, will be followed in all membership appointments to the committee. To ensure that the recommendations of the committee have taken into account the needs of the diverse groups served by the Department, membership shall include, (to the extent practicable), minorities, women, and persons with disabilities.

The USDA prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program.

13. Subcommittees

Not Applicable

14. Recordkeeping

The records of this Committee, formally and informally established subcommittees, or other subgroups of the committee, shall be handled in accordance with General Records Schedule (GRS) 6.2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552. Information about this Committee is available online at:

<http://www.fns.usda.gov/wic/national-advisory-council-maternal-infant-and-fetal-nutrition>.

15. Filing Date

OCT 25 2016